



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

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March 8, 2019

Mackenzie Farkus
MuckRock News

Re: Your Public Records Request (sent via email)

Dear Ms. Farkus,

This letter follows up on my recent letter to you dated February 22, 2019. In that letter, I informed you that your request for records had been preliminarily reviewed and that it appeared that the California Department of Education (CDE) had responsive records but that additional time was needed to consult with various divisions within CDE in order to ensure a comprehensive search for all responsive records.

We have since located several emails that will be produced to you within a few days, some of which will require some minimal redaction in order to protect the privacy of peoples' cell phone numbers, as well as to protect from disclosure information related to the security detail assigned to the State Superintendent of Public Instruction. Those emails will be provided to you electronically at no cost, as the records are already maintained in electronic format.

There are also a handful of emails that will not be produced as those emails have been determined to be exempt from disclosure pursuant to exemptions established in the Public Records Act (Government Code Section 6250 et. seq.). These include: 1) a few emails that reflect drafts of documents that are not retained by the CDE in the ordinary course of business and where the public interest in withholding those records clearly outweighs the public interest in disclosure [Section 6254(a)]; 2) a few emails that reflect the deliberative decision-making process among upper-level management within the CDE [Section 6255 and Times Mirror v. Superior Court [(1991) 53 Cal.3d 1325]; and 3) one email that reflects correspondence between one of our CDE Deputy Superintendents and staff of the Governor's office [Section 6254(l)].

Please be advised that your request for records, and the CDE's response to it, are themselves public records and may be disclosed to the public should CDE receive a request for disclosure. Please direct future correspondence regarding your request for public records related to this request to my attention.

Sincerely,

Cynthia Butler

Cynthia Butler, Information Officer
California Department of Education

